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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,214	08/17/2001	Jyrki Savela	FORSAL-18	4918

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EXAMINER

HASTINGS, KAREN M

ART UNIT PAPER NUMBER

1731

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

091932214

Applicant(s)

Savelle

Examiner

HASTINGS

Group Art Unit

1731

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 9/01; 1/02; 9/02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 111; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-21 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-21 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☒ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: PCT/FR/00115 (cert. copy not received)

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

*Claims 2-12 are rejected under 35 U.S.C. § 112, second paragraph*, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 and how it relates to or distinguishes from various dependent claims is unclear. For example only, claim 2 defines two subassemblies, one for guiding and the other for spreading and/or cleaning, yet claims 8 and 12, for example further define the spreading subassembly in claim 8 and the cleaning subassembly in claim 12. However, since in claim 2 the options were set out in the alternative, it has never positively been set forth that there **is** a subassembly that is spreading, or positively set forth that there **is** a subassembly that is cleaning, which is needed for claims 8 and 12 to be definite.

Likewise in claim 3, it should positively be set forth that said guiding subassembly comprises X and said subassembly for spreading and/or cleaning both spreads and cleans and comprises Y and Z; this is merely the suggested setup of the language, not the precise language that should be used - clearly all language should be consistent with previous language etc.

Claim 7 is confusing and appears incomplete - an automatic guide for what? The function of the automatic guide and how it relates to the device should be positively set forth.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

***Claims 1, 2 and 18 at least are rejected under 35***

***U.S.C. 102(b)*** as anticipated by or, in the alternative, under 35

***U.S.C. 103(a)*** as obvious over Poulsen or Lapeyrouse `109 or `415.

Poulsen teaches a felt conditioning system which can be viewed as comprising a subassembly 29 which cleans and a subassembly by the curve 2 that functions to spread, clean and guide the felt. Note Figure 4 where the subassembly 29 clearly is so close to the subassembly 34 that it would be immediately envisioned that it is mounted thereto and forms a single device.

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But in any event, even if it did not, the various elements that make up the air plenum itself may be considered subassemblies that guide spread and/or clean the fabric - note for example only column 5 lines 10-45 which describe that the ribs spread the felt to enhance the action of the air coming through the plenum chamber to purge the felt and clean it. Again, the felt conditioning structure itself also inherently guides the felt.

Any differences that may be gleaned from the current claim language would be immediately envisioned by one of ordinary skill in the art upon review of this reference.

Alternately, Lapeyrouse `415 discloses a felt cleaner which is a suction box that has integrally aligned with it a water jet cleaning nozzle at 18. It also guides the fabric at 17 and at each spreader roll 14, 15, note page 2 lines 24-30 which teaches that the rollers 14 and 16 "work" the felt to open it up, that is, they spread the felt to enhance the cleaning action. Lapeyrouse 109 discloses similar felt spreader/guider and cleaner structure. No distinctions can be seen over these claims from these references.

***At least Claims 1 - 4, 18 and 19 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over FI 3345/68.***

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See the English Abstract of FI 3345/68 and Figures 1 and 2 which clearly structurally show a device for cleaning and spreading a felt wherein subassemblies are forming a "single device", see especially the left hand side of Figure 1 and Figure 2 where it is clearly depicted guiding devices, a roll which will spread the felt open, a suction box in between and then another roll which guides and/or spreads the felt.

Note any differences that may be gleaned are considered to have been prima facie obvious design choices to one of ordinary skill in the art, or design choices that would be immediately envisioned by one of ordinary level of skill in the art. For example, with respect to claim 4, to have the suction slot formed between two suction ribs as opposed to in a suction box cover is very well known to those of ordinary skill in the art; with respect to claim 3, claim language is to be given its broadest reasonable interpretation and such would encompass the structure of FI reading on ~~an~~ automatic guide~~ed~~ and ~~a~~ curved spreader roll~~s~~ absent more specific recitation of structural details.

**Claims 1-21 are rejected under 35 U.S.C. § 103(a)** as being unpatentable over FI 3345/68, as necessary with Sweet and/or Heymanns and/or Snellman et al.

See FI 3345-68 as set forth above for the basic structural combination of subassemblies of spreader/guide roll, suction box,

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spreader/guiding roll as known in the art. In order to be complete, all claims re included herein although several of the claims are deemed to be anticipated by this reference as set forth above.

The dependent claimed features (and the combination set forth in independent claim 13) are all well known features/options to those of ordinary skill in the art and as such would have been prima facie obvious modifications to FI 3345/68. For example, the use of two ribs to form a suction slot versus a cover is well known in the art as exemplified by Sweet - note the alternative use of a suction slot in Figure 3 between two ribs versus suction slots in a cover as exemplified by Figures 7, 8 and 9 of Sweet. One would merely be substituting an known structural design for another, both of which are designed to perform the same function of suction/dewater/clean a fabric.

The use of movable/bendable suction ribs for a suction device is also well known in the art as exemplified by Snellman et al. - see Figures 1A/1B, column 2 lines 45-65 and column 5 lines 10-25 which describe individually movable suction ribs. It is noted that Snellman et al. is primarily concerned with dewatering the paper web, however the concept of using a movable rib in a suction box would be immediately envisioned by one of ordinary skill in the art to be applicable to a suction box cleaning device for a fabric. Thus to have modified the suction

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box/ribs of FI 3345/68 to be movable ribs and/or to form a curved surface for the fabric to travel over would have been prima facie obvious to one of ordinary skill in the art, for the known advantages thereof as taught in Snellman et al.

Likewise using a well known curved spreader/guide roll as exemplified in Heymanns - see Figure 1 - with an adjustment to adjust its tension against the felt - see Figure 3 and relevant description thereof - would have been prima facie obvious to one of ordinary skill in the art as one would merely be using a well known construction for a spreader roll as an alternative to the design of the spreader roll(s) shown in FI 3345/68.

Furthermore note for example that using an end seal for a suction slot (claim 12) was well known to those of ordinary skill in the art, the use of a plurality of suction pipes (claim 11) was well known to those of ordinary skill in the art, bendable ribs, etc are also known technical features/options.

Other dependent claim features are either suggested by the references or would have been prima facie obvious modifications to those of ordinary skill in the art. Furthermore note the provision of adjustability is ordinarily not patentable - see In re Stevens 101 USPQ 284 (CCPA 1954). Furthermore, automating a known manual setup per se involves only routine level of skill and is ordinarily not patentable. See In re Venner 120 USPQ 193.



***Indication of Allowable Subject Matter:***

If the limitations of claims 13, 14, 16 and 7 were combined, with claim 7 being amended to overcome the 112 rejection, then such a combination of features would define over the prior art since the combination of curved ribs with the spreader roll, guide roll etc. and with the specifics of the automatic guide, as set forth in claim 7 are not fairly taught or suggested by the prior art.

***The prior art made of record*** and not relied upon is considered pertinent to applicant's disclosure.

Peacock et al. shows a suction felt washer with guide devices, suction slots etc. all commonly mounted together.

Rickert, Jr. teaches a cleaning apparatus for felt with seals provided between ends of the rolls and the suction chamber. See column 1 lines 10-20.

Baker teaches rib shoe 40 in a felt suction cleaning device is formed of plastic (e.g. polypropylene - see col 4 lines 24-26.

Birch teaches felt cleaning suction slot is adjustable in width.

Truxa 225 teaches a bendable rib structure for a papermachine located underneath the papermachine fabric.

***Any inquiry concerning this communication*** or earlier communications from the examiner should be directed to Examiner

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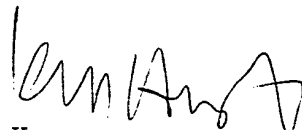
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Hastings whose telephone number is (703) 308-0470. The examiner can normally be reached on Monday through Thursday from 6:30 A.M. to 5 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Steve Griffin, can be reached on (703) 308-1164. The fax phone number for this Group is (703) 305-7115.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0651.

  
Karen M. Hastings  
Senior Primary Examiner  
Art Unit 1731

KMH/cdc  
September 30, 2002

9/02